

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JACKIE FISHER**Plaintiff,****vs.**

**UNIVERSITY OF TEXAS
MEDICAL BRANCH and
DAVID WATSON**

Defendants.§ **CIVIL ACTION NO. 4:08-CV-01273**§ **Jury Demanded**

§

§ **Judge: Nancy F. Atlas**§ **Case Manager: Sheila Ashabrunner**

§

§ **Court Deputy: _____**§ **Court Reporter: _____**

§

§

§ **Proceeding: Trial**

**PLAINTIFF, JACKIE FISHER'S
SECOND AMENDED EXHIBIT LIST**

NO.	DESCRIPTION	Offer	Obj.	DATE ADMIT	DATE N/ADM
P-1	Fisher Position Announcements				
P-2	E-mail re Watson's Resignation (Oct. 11, 2006)				
P-3-A	E-mail Exchange between Radar Fisher Watson re Pipkin and Drake (Feb.1 &2, 2005)				
P-3-B	E-mail Exchange between Radar Fisher Watson re Pipkin and Drake (Feb. 9, 2005)				
P-4-A	E-mail Exchange from Parker RE: Brophy and Wright (April 19, 2005)				
P-4-B	E-mail Exchange from Watson RE: Parker, Brophy, and Wright (April 19, 2005)				

NO.	DESCRIPTION	Offer	Obj.	DATE ADMIT	DATE N/ADM
P-5	E-mail to Watson re Equal treatment of white and African American Assistant Nurse Managers (May 18, 2005)				
P-6	Memo Watson to Gotcher re Request for Agency Staff (July 25, 2005)				
P-7-A	E-mail Watson to Gotcher, Radar & Melton (Jan. 9, 2006) unredacted				
P-7-B	Notice to Staff of Meetings (Jan. 9, 2006)				
P-7-C	E-mail Watson to Gotcher, Radar & Melton (Jan. 9, 2006) redacted				
P-8	Fisher's Hostile Environment Grievance against Watson (April 10, 2006)				
P-9	E-mail from Watson to Wright re Ford (Jan. 5, 2006)				
P-10	Gotcher Meeting Agenda and attendance (Mar. 8, 2006)				
P-11	E-mail Exchange between Fisher and Watson (March 27, 2006)				
P-12	E-mail from Watson to Fisher (Apr. 3, 2006)				
P-13	Notice of Intent to Demote (April 11, 2006)				
P-14	Fisher's 2 nd Harassment and Hostile Environment Grievance against Watson (April 11, 2006)				
P-15	Appeal of Demotion (April 24, 2006)				

NO.	DESCRIPTION	Offer	Obj.	DATE ADMIT	DATE N/ADM
P-16	Radar letter to Fisher Re Demotion (April 12, 2006)				
P-17	Watson Letter re demotion to Assistant Nurse Manager (May 2, 2006)				
P-18	Fisher Appeal of Demotion to Assistant Nurse Manager (May 11, 2006)				
P-19	EEOC Intake Questionnaire (Apr. 24, 2006)				
P-20	EEOC Charge (June 2, 2006)				
P-21	Letter of Expectation from Roddey (June 26, 2006)				
P-22	Position Description for Assistant Nurse Manager at Wynne (June 28, 2006)				
P-23	Pemberton Letter to Fisher re OEO &D (June 26, 2006)				
P-24	Appeal of Demotion to Pemberton (July 3, 2006)				
P-25	UTMB Position statement to the EEOC (Aug. 8, 2006)				
P-26	Fisher's Quarterly Evaluation (March 7, 2006)				
P-27	Historical Detail Turnover Report 2005 & 2006				
P-28	S. Hicks Email re Nursing Positions (February 2, 2005).				
P-29	UTMB CMC Executive Summary August 2006				
P-30	Vacancy Rates Watson's District Facilities 2005-2006				

NO.	DESCRIPTION	Offer	Obj.	DATE ADMIT	DATE N/ADM
P-31	Fisher Letter to Radar re Time Frames for Grievance Responses (April 24, 2006)				
P-32	Watson Letter to Nurse Darby sustaining grievance against Fisher purportedly filed March 3, 2006 (April 24, 2006)				
P-33	Letter from Nurse Sarah Benavides re 2004 Incident (April 11, 2006)				
P-34-A	Fisher's Meeting Agendas Estelle Unit (2005 & 2006)				
P-34-B	Fisher's Meeting Agendas Estelle Unit (2005 & 2006)				
P-34-C	Fisher's Meeting Agendas Estelle Unit (2005 & 2006)				
P-34-D	Fisher's Meeting Agendas Estelle Unit (2005 & 2006)				
P-35-A	Kim Roddey's Meeting Agendas Wynne Unit (2005 & 2006)				
P-35-B	Kim Roddey's Meeting Agendas Wynne Unit (2005 & 2006)				
P-35-C	Kim Roddey's Meeting Agendas Wynne Unit (2005 & 2006)				
P-35-D	Kim Roddey's Meeting Agendas Wynne Unit (2005 & 2006)				
P-36	Fisher's Letter to Radar re Time frames for Grievances and Appeal (May 3, 2006)				
P-37	UTMB Grievance Policy IHOP 3.10.3.				
P-38	UTMB Appeals Policy IHOP 3.10.2.				

NO.	DESCRIPTION	Offer	Obj.	DATE ADMIT	DATE N/ADM
P-39	UTMB Discipline & Dismissal Policy IHOP 3.10.1.				
P-40	Fisher Discrimination Grievance (Sept. 11, 2006)				
P-41	Letter re Grievance (August 31, 2006)				
P-42	Fisher Retaliation Grievance (Oct. 9, 2006)				
P-43	Watson's Responses to OEO&D (Dec. 2006)				
P-44	Melvin Williams OEO&D Findings re Fisher's Discrimination Complaints (February 7, 2007)				
P-45	Pemberton Letter re back pay (March 9, 2007)				
P-46	Demotion Letter from Gotcher (March 21, 2007)				
P-47-A	Watson Letter of Expectation (Sept. 17, 2004)				
P-47-B	Fisher Agendas RE: Expectations (Sept. 2004)				
P-48	Notice of Peer Review (March 21, 2005)				
P-49	UTMB Peer Review Policy (Aug. 1995)				
P-50	W/D				
P-51	Email re Inmate Death (May 25, 2006)				
P-52	Email re Inmate Death (May 26, 2006)				

NO.	DESCRIPTION	Offer	Obj.	DATE ADMIT	DATE N/ADM
P-53	Email re Inmate Death (June 30, 2006)				
P-54	Email re Inmate Death (August 9, 2006)				
P-55	Email re Inmate Death (September 18, 2006)				
P-56	Email re Inmate Death (September 29, 2006)				
P-57	BNE Letter (May 19, 2005)				
P-58	Fisher Response (July 8, 2005)				
P-59	BNE Letter (Oct. 18, 2005)				
P-60	Death Summary (Dec. 15, 2005)				
P-61	BNE Letter (Jan. 13, 2006)				
P-62	Fisher Response (February 10, 2006)				
P-63	Fisher Response to BNE (May 12, 2006)				
P-64	Agreement to Order of BNE (Nov. 8, 2006)				
P-65	Final Order of BNE (Dec. 1, 2006)				
P-66	Fisher Compliance with Course work Requirement (Mar. 23-25 of 2006)				
P-67	BNE Acknowledgment of Completion of Requirements (March 26, 2007)				
P-68	First Amended EEOC Charge (April 3, 2007)				
P-69	UTMB Position Statement (May 14, 2007)				

NO.	DESCRIPTION	Offer	Obj.	DATE ADMIT	DATE N/ADM
P-70	EEOC Letter of Determination Discrimination & Retaliation (November 6, 2007) redacted				
P-71	DOJ Notice of Right to Sue 01-22-08				
P-72	Email from Lela Shaw dated 11/07/2005.				
P-73	Email from Marilyn Peters				
P-74	Ineligibility for Merit Increase				
P-75	Performance Evaluation 06-06				
P-76	Quarterly Evaluation 03-07-06				
P-77	Performance Evaluation 07-05				
P-78	Performance Evaluation 06-04				
P-79	Quarterly Evaluation 12-10-04				
P-80	Quarterly Evaluation 12-01-03				
P-81	Performance Evaluation 04-03				
P-82	Quarterly Evaluation 03-28-02				
P-83	Quarterly Evaluation 12-18-01				
P-84	Performance Evaluation 06-01				
P-85	UTMB Letter 04-05-07				
P-86	W/D				
P-87	W/D				
P-88	W/D				
P-89	Paid by Letter 10-26-06				
P-90	High Needs Positions 02-01-05				
P-91	Position Description Nurse Manager				
P-92	Performance Evaluation 04-02				
P-93	BNE Minor Incidents				

NO.	DESCRIPTION	Offer	Obj.	DATE ADMIT	DATE N/ADM
P-94	Letter to Peer Review 04-13-05				
P-95	Medical Records Jonathan Hulme, MD				
P-96	Grievance 03-16-06				
P-97	Salary Increase 04-02-07				
P-98	Estelle Staff Meeting 03-08-06				
P-99	Letter to Darby 04-24-06				
P-100	Re Darby 03-30-06				
P-101	Fisher Current Pay Stub				
P-102	Certified Copy of EEOC File				
P-103	Watson E-mail 03-14-06l				
P-104	Fisher E-mail 03-24-06				
P-105	Fisher Evaluation 12-11-06				

Respectfully submitted,

LAW OFFICE OF JO MILLER, P.L.L.C.
505 North Main
Carriage House
Conroe, Texas 77301
(936) 539-4400 Tel.
(936) 539-4409 Fax

By: /s/ Jo Miller
JO MILLER
State Bar No. 00791268
Federal Bar No. 20385
Attorney-in-Charge for Plaintiff
Jackie Fisher
jmiller@jomillerlaw.com

NOTICE OF ELECTRONIC FILING

I, Jo Miller, do hereby certify that I have electronically submitted for filing, a true and correct copy of the above and foregoing document in accordance with the Electronic Case Files System of the Southern District of Texas, on the 2nd day of March, 2010.

/s/ Jo Miller

Jo Miller
Attorney-in-Charge for Plaintiff,
Jackie Fisher

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was served electronically on March 2, 2010 to:

David Halpern
david.halpern@oag.state.tx.us
Assistant Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
Tel: (512)463-2120
Attorney for Defendants

/s/ Jo Miller

Jo Miller
Attorney-in-Charge for Plaintiff,
Jackie Fisher